

To: CN=Kathleen Goforth/OU=R9/O=USEPA/C=US@EPA[]
Cc: []
From: CN=Tom Hagler/OU=R9/O=USEPA/C=US
Sent: Mon 6/6/2005 4:22:03 PM
Subject: Re: Fw: Do you recall....
[Antideg action letter.wpd](#)
[Tom Hagler](#)
[Tom Hagler](#)
(embedded image)

Context:

The state board, in its workshops on the 1995 Water Quality Control Plan (the triennial review or, as they call it, the periodic review), adopted a staff report with some bizarre language on antidegradation which was really just a surrogate for a 101(g) claim. I'm trying to figure out what we've said to California about antideg in the recent past, and I got your letter from 2000 from Jessica Kao.

I'm not sure if the bizarre situation is worth correcting, given that it's all kind of touchy feely workshop materials. And I doubt if we're up for a direct detailed discussion of 101(g) with the Board.

But thanks for the updated history.

Kathleen Goforth/R9/USEPA/US
06/06/2005 07:26 AM
To Tom Hagler/R9/USEPA/US@EPA
cc
Subject Re: Fw: Do you recall....

Yes, I'm the right person, and yes, the RB/SB resolved that disapproval by amending the Basin Plan language. Here's our letter approving their Basin Plan revision:

I'm curious to know what prompted your inquiry. In what context has this come up?

FYI, the other two RB5 Basin Plan amendments that we disapproved in 2000 (re: tributary rule and Delta DO objectives) have not yet been resolved.

-Kathy

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Tom Hagler/R9/USEPA/US
06/02/2005 11:24 AM
To Kathleen Goforth/R9/USEPA/US@EPA
cc
Subject Fw: Do you recall....

OK, the finger is now pointing at you. Are you the right person to answer this question?

And the question is: Did the Regional Board (or State Board) ever respond to our May 2000 disapproval of the language in the basin plan amendment concerning how they characterized the antidegradation policy?

If so, what was their response?

----- Forwarded by Tom Hagler/R9/USEPA/US on 06/02/2005 11:21 AM -----

Jessica Kao/R9/USEPA/US
06/02/2005 10:41 AM
To Tom Hagler/R9/USEPA/US@EPA
cc
Subject Re: Do you recall....

Ancient history! I think it might be RB5. If so, Kathy Goforth would be the program person.

Tom Hagler/R9/USEPA/US
06/02/2005 10:07 AM
To Jessica Kao/R9/USEPA/US@EPA
cc
Subject Do you recall....

....being involved in a letter that EPA sent to the State Board/Regional Board about the basin plan amendments in 2000?

One of the issues we "disapproved" was the language discussing antidegradation. I have all that material that you gave me maybe last fall.

My question is: Did we ever get a response back from the State/Regional Board on the antidegradation issue? If you don't know off the top of your head, do you know who in the program would be in charge of that issue?

This is coming up again, and I need to know if that loop ever got closed on our earlier letter.

I'm off to a meeting with Phil Woods, but will otherwise be around today.